

ENVIRONMENTAL HEARINGS OFFICE

Pollution Control Hearings Board (PCHB)

AP: Air Pollution
WP: Water Pollution
WR: Water Rights
FP: Forest
HW: Hazardous Waste
OT: Other

2011 Appeals Filed for All Boards January - December 2011

Shorelines Hearings Board (SHB)

Forest Practices Appeals Board (FPAB)
Hydraulics Appeals Board (HAB)

2011	Pollution Control Hearings Board						PCHB	See Legend Above for Boards			All Boards	
	AP	WP	WR	FP	HW	OT	Total	SHB	FPAB	HAB	Total	2011 YTD
January	9	6	1	1			17	4			21	21
February	4	9	6				19	1			20	41
March	2	3	2	2		1	10	4			14	55
April	8	3	4		1	4	20	2			22	77
May	1	10	1	1	1	1	15	2			17	94
June	2	6			1	2	11	2			13	107
July	13	5	2				20	3			23	130
August	4	2	5				11	2			13	143
September	5		3	2		1	11	2			13	156
October							0				0	
November							0				0	
December							0				0	
TOTAL	48	44	24	6	3	9	134	22	0	0	156	156

* As of July 1, 2010, Forest appeals are filed under PCHB

SEPTEMBER 2011 STATISTICS

APPEAL ACTIVITY -- FILINGS AND CLOSINGS -- FOR SEPTEMBER 2011

Active Appeals	Pollution Control Hearings Board						PCHB	See Legend Above for Boards			All Boards	
	AP	WP	WR	FP	HW	OT	Total	SHB	FPAB	HAB	Total	2011 YTD
Active appeals as of 8/31/11	30	16	15	3	5	8	77	10	0	0	87	
Appeals filed 9/11	5		3	2		1	11	2			13	156
Appeals closed 9/11	13	8	3			1	25	1			26	215
Active appeals as of 9/30/11	22	8	15	5	5	8	63	11	0	0	74	

Tracking Active Caseload

Active Cases as of 9/30/11

74

Active Cases as of 6/30/11

116

Active Cases as of 3/31/11

143

Active Cases as of 12/31/10

135

FINAL ORDERS ISSUED IN SEPTEMBER 2011

DISPOSITIVE	Pollution Control Hearings Board						PCHB	See Legend Above for Boards			All Boards	
	AP	WP	WR	FP	HW	OT	Totals	SHB	FPAB	HAB	Total	2011 YTD
Agreed Dismissals	12	5	0	0	0	0	17	1	0	0	18	131
Mediated Settlements	0	0	0	0	0	0	0	0	0	0	0	5
Contested Dismissals	1	0	0	0	0	0	1	0	0	0	1	8
Decisions on Merits	0	0	2	0	0	0	2	0	0	0	2	53
Decisions on Summary Judgment	0	3	1	0	0	0	4	0	0	0	4	16
TOTALS	13	8	3	0	0	0	24	1	0	0	25	213

ENVIRONMENTAL HEARINGS OFFICE

OTHER ORDERS ISSUED IN SEPTEMBER 2011

OTHER ORDERS	Pollution Control Hearings Board						PCHB	See Legend Above for Boards			All Boards	2011 YTD
	AP	WP	WR	FP	HW	OT	Totals	SHB	FPAB	HAB	Total	
Pre-Hearing	2	2	7	0	0	0	11	5	0	0	16	142
Misc. Orders*	1	0	3	0	0	7	11	0	0	0	11	165
TOTALS	3	2	10	0	0	7	22	5	0	0	27	307

*Misc. Orders include: Dispositive orders that do not entirely dispose of the case; motions to strike; motions to continue; etc.

MOTIONS FILED IN SEPTEMBER 2011

Motions Filed	Pollution Control Hearings Board						PCHB	See Legend Above for Boards			All Boards	2011 YTD
	AP	WP	WR	FP	HW	OT	Totals	SHB	FPAB	HAB	Total	
Dispositive			1				1				1	86
Non-Dispositive	3		2			8	13	2			15	256
TOTALS	3	0	3	0	0	8	14	2	0	0	16	342

HEARINGS and OTHER ACTIVITIES IN SEPTEMBER 2011

ACTIVITIES	Pollution Control Hearings Board						PCHB	See Legend Above for Boards			All Boards	2011 YTD
	AP	WP	WR	FP	HW	OT	Totals	SHB	FPAB	HAB	Total	
Hearings:												
1 Day							0				0	24
2-3 Days							0				0	13
4-5 Days							0				0	36
6-10 Days							0				0	
Actual Days in Hearing for Sept. 2011:							0				0	40
Length of Decisions on Merits and Orders on Summary Judgment												
0 - 10 Pages		1	1			1	3				3	19
10 - 25 Pages						3	3				3	21
25 - 40 Pages	1						1				1	6
Over 40 Pages			1				1				1	11
Board Deliberations						1	1				1	124
All Conferences	5	4	1			3	13	5			18	266
Mediations Held							0	1			1	7
Procedural Assistance by AAJs	1		1				2				2	15
Procedural Assistance Time **	0.3		0.5				0.8				0.8	5.8
Superior Crt Appeals		1					1	1			2	14

** Hours, or portions thereof.

Average number of months for PCHB appeals to be disposed of by Board hearings or motions:

4.2 mos.

Based on cases closed over past 3 mos

Average number of months for SHB appeals to be disposed of by Board hearings or motions:

4.5 mos.

Based on cases closed over past 12 mos

Percent of cases disposed of without going to hearing:

92%

ENVIRONMENTAL HEARINGS OFFICE

HISTORICAL APPEALS DATA

Running Totals, by Month and Year, of Number of Appeals Filed

	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000
January		21	14	11	15	14	7	16	14	24	21	8	17
February		41	29	26	28	44	18	35	30	46	40	20	32
March		55	46	47	43	50	36	60	50	64	62	48	52
April		77	56	61	53	66	44	78	70	85	77	67	70
May		94	65	70	68	81	58	96	88	95	97	100	94
June		107	84	88	82	103	73	118	107	110	118	126	120
July		130	96	106	101	127	91	134	129	138	146	155	147
August		143	120	120	114	164	111	147	149	155	178	177	190
September		156	136	133	125	176	127	166	167	180	208	209	214
October			176	155	137	188	145	178	183	202	245	236	229
November			188	175	157	208	158	189	193	212	267	250	241
December			226	190	186	221	172	208	209	226	288	261	262
TOTAL		156	226	190	186	221	172	208	209	226	288	261	262

YEAR	PCHB	SHB	FPAB	HAB	ELUHB	Total
1970	42					42
1971	36	5				41
1972	173	44				217
1973	243	72				315
1974	278	61				339
1975	185	29	3			217
1976	175	39				214
1977	189	41				230
1978	269	51	2			322
1979	222	57	7			286
1980	235	49	1			285
1981	210	51	2			263
1982	212	54				266
1983	219	54				273
1984	343	64	1			408
1985	267	41	5			313
1986	233	62	2			297
1987	240	53	7			300
1988	194	61	7			262
1989	168	76	22	1		267
1990	239	93	27	3		362
1991	271	82	21	2		376
1992	241	58	32	4		335
1993	320	87	89	4		500
1994	283	76	41	2		402
1995	146	66	34	0		246
1996	295	58	43	2		398
1997	198	49	33	2		282

YEAR	PCHB	SHB	FPAB	HAB	ELUHB	Total
1998	278	66	37	0		381
1999	205	39	22	7		273
2000	189	37	29	7		262
2001	195	33	29	4		261
2002	228	31	27	2		288
2003	170	33	20	2	1	226
2004	166	25	15	3		209
2005	163	34	9	2		208
2006	125	39	6	1	1	172
2007	178	35	8	0	0	221
2008	146	36	4			186
2009	158	19	9	4		190
2010	177	44	5			226
2011						
2012						
2013						
2014						
2015						
2016						
2017						
2018						
2019						
2020						
2021						
2022						
2023						
2024						
2025						

Active Cases as of 12/31/08
Active Cases as of 3/31/09
Active Cases as of 6/30/09
Active Cases as of 9/30/09

Pollution control Hearings Board (PCHB)

AP: Air Pollut

WP: Water Pollution

WR: Water Rights

HW: Hazardous Waste

OT: Other

**2008
Appeals Filed for All Boards
January - December 2008**

2008	Pollution Control Hearings Board					PCHB Total	See Legend Above Right for Full Name		
	AP	WP	WR	HW	OT		SHB	FPAB	HAB
January	7	4				11	4		
February	7	2	1		1	11	1	1	
March	11	1	1			13	2		
April	2	3			2	7	3		
May	7	2	2	1		12	3		
June	4	6				10	4		
July	4	6	3			13	5	1	
August	3	2	6			11	2		
September	5	3				8	3		
October	4	2	3			9	2	1	
November	9	6	1			16	4		
December	22	1		2		25	3	1	
TOTAL	85	38	17	3	3	146	36	4	0

DECEMBER 2008 STATISTICS

Shorelines Hearings Board (SHB)
Forest Practices Appeals Board (FPAB)
Hydraulics Appeals Board (HAB)
Environmental and Land Use Hearing
Board (ELUHB)

Number of Boards		
ELUHB	Total	2008 YTD
	15	15
	14	29
	15	44
	12	56
	15	71
	14	85
	19	104
	13	117
	11	128
	12	140
	20	160
	29	189
0	189	189